



## PLANNING AND DEVELOPMENT BOARD MEETING MINUTES

February 6, 2012

Setti D. Warren  
Mayor

Candace Havens  
Director  
Planning & Development  
Ex-Officio Member

Anne Marie Belrose  
Community Development  
Manager

Members

Joyce Moss, Chair  
Scott Wolf, Vice Chair  
David Banash, Treasurer  
Leslie Burg, CPC Liaison  
Tabetha McCartney  
Doug Sweet  
Eunice Kim, Alternate

### Full Members Present:

Joyce Moss  
Scott Wolf  
David Banash  
Leslie Burg  
Tabetha McCartney

### Alternate Members Present:

Eunice Kim

### Staff Present:

Anne Marie Belrose, Community Development Manager  
Robert Muollo, Jr., Housing Development Planner  
Alice Walkup, Community Development Senior Planner

### Guests Present:

John Boyd for Eileen Budii	Michael Lepie
Gladys Carter	Rudge McKenney
Rob Caruso	Girard Plante
Cathy Davis	Bill Renke
Christine Dillon	Lynne Robinson
Bob Engler	Shelby Robinson
Jay Freedman	Kristen Smith
Karen Haywood	Jeanne Strickland
Howard Haywood	Elaine Thomas
Albert Jordan	Samuel Turner
Kathy Jordan	William Turnsen
Angelo Kyriakides	Bin Wang
Evette Layne	Hubert Williams
Teik Lee	

J. Moss, Chair, called the meeting to order at 7:38 p.m. Members introduced themselves, and a quorum was established. S. Wolf joined the meeting.

### Minutes

Members reviewed the minutes of the January 9, 2012 meeting. J. Moss had one comment regarding the following section:

*Update: Report regarding the FY13 Annual Action Plan, FY13 entitlement for CDBG and HOME, and the activity among Advisory Committees to provide input into the projects that are proposed for funding*

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J. Moss described how she had understood the Board of Aldermen's role in CDBG approval to be limited to the funding of administration and staff salaries, and not the project themselves. She requested that a sentence be re-written and more information about the process be provided.

With no other comments, L. Burg moved to approve the minutes and D. Banash seconded. Five members approved the minutes, with one abstention by E. Kim, who was not present at the meeting.

**Public Hearing Item and Action Item: Request by Myrtle Village, LLC. for \$795,584 in FY10, FY11, and FY12 CDBG funds for rehabilitation and development soft costs for the rehabilitation and expansion of 12 Curve Street and 18-20 Curve Street to create seven units of affordable rental housing.**

J. Moss read the public hearing and action item description. She then described her expectations regarding materials for the Planning and Development Board to have prior to the meeting. She would like to have the entire proposal and would be glad to pick it up from City Hall. At a minimum, the Board members need the development pro forma and building plans. She also asked that members visit the site in question prior to the public hearing. She also requested that the staff memo precede the advisory committee letter for future packets.

L. Burg also indicated a preference for a printed copy at City Hall and also requests financial information be provided as part of the packet. D. Banash indicated concern regarding timeliness, and requested notification of when the application is available online. He wanted to know the minimum time required to receive the information, and he asked that the information be received five business days prior. A. Walkup indicated that the packet had been provided ten days prior to the meeting, as has been the City's practice, and that staff responded to requests for additional information as they received them, with much of that information going out the day of the meeting. L. Burg indicated concern that the Board may not be able to move on the project, having not been provided the full proposal well ahead of the meeting. J. Moss suggested that the Board hear the presentation, have the discussion, and then determine whether or not they felt comfortable voting. All members found that recommendation acceptable.

J. Moss invited the proponents of the project to give a presentation. Howard Haywood, co-chair of the Myrtle Village, LLC project team, introduced himself. He said that until September 14, 2011, he was a member of the Planning and Development Board, but with advice from City's legal counsel, he resigned from the Board. He also noted that this project was never discussed during his membership on the Board. J. Moss asked whether there was any legal constraint regarding H. Haywood's former membership and the timing of the resignation. A. Belrose described how the City has a conflict of interest policy that has been in place since 2007. The policy describes what members must do while they are on a board, and that a member cannot

have a financial interest in a project for a year after his or her tenure on a decision making board. The policy does not address what to do if there is a financial interest after a member's tenure on the board. J. Moss asked who the beneficial owners of the LLC are, and H. Haywood indicated that he is not and does not get paid for this project. J. Moss said the potential conflict was not an issue. A. Belrose said that staff pursued the matter with our HUD field office as part of the City's due diligence. In 2007, the conflict policy was verbally approved by HUD Headquarters in Washington, DC, and on two separate occasions, City staff contacted the HUD field office and disclosed the nature of the potential conflicts that existed as part of this project. The HUD field office responded by saying that if the conflicted party recused himself, which is impossible because H. Haywood is no longer on the Board and cannot make a decision making vote, that would be sufficient. Because the conflict policy does not address issues arising from former membership on the Board, the City pursued the matter with HUD, again explaining the nature of the relationships, and the HUD field office said that as long as the City abides by its conflict policy, HUD felt such activity could move forward. J. Moss said that if HUD does not have a problem, then the Board does not have a problem, and the Board may proceed. H. Haywood explained that he understands there to be different requirements for different Boards regarding conflict, which he found to be confusing and stifling to activity, and J. Moss said that she would pursue that.

H. Haywood also indicated his appreciation for the help the team has received from the City Planning and Development staff, including Trish Guditz, Rieko Hayashi, Alice Ingerson, and Rob Muollo, Jr. He said it is a daunting process and they were very helpful and the team appreciates the willingness of the City staff to work with them.

H. Haywood said that Myrtle Village is a project that the church has dreamed of for years and finally is now getting to move it forward. He introduced the co-chair of the committee, Shelby Robinson, to introduce the project. She is a longtime Newton resident and described how this affordable housing project was envisioned by Myrtle Village Church as part of its mission and service. They felt it important to collaborate with people experienced in this kind of development, and they partnered with the Newton Community Development Foundation (NCDF), which has been involved from the beginning. Jeanne Strickland and Bob Engler, of NCDF, have been able to guide the project and explain the process. NCDF will continue to partner with the LLC to conduct the lottery and handle management and maintenance of the units. Angelo Kyriakides is both the architect and project manager, and has experience with these types of projects and is committed to this project.

S. Robinson said that it was important to those involved to have a project that is green, as Newton is the "Garden City" and one in keeping with the character of the City. The Church was pleased that the architect was able to fit seven units into the space, with the following breakdown:

- One one-bedroom unit
- Four two-bedroom units

- Two three-bedroom units

The existing properties at 12 Curve Street and 18-20 Curve Street will compose this project. H. Haywood said that they purchased the single-family house, 18 Curve Street, last year and 20 Curve Street was purchased around 1958, and was used as a parsonage, which they successfully converted in the 1980s into a two-family building. 12 Curve Street has been lived in by a family who has been there for many years, and he indicated that the current tenant and owner was in attendance.

In 2008, the Myrtle Baptist Church Neighborhood Historic District was placed on the National Historic Register, for the nature of the community and its history. H. Haywood is proud to put housing into the City to help people of modest means live in the City. He described how the Church was built in 1874, and was renovated and expanded in 1985, and is well-maintained, any work to the church has been paid as it goes, so the Church is not in debt.

H. Haywood then outlined the scope of work for 12 Curve St., which entails:

- A complete renovation of 12 Curve St.
- Conversion into two two-bedroom units, one of which will be “visitable”
- One three bedroom unit

He explained that the visitable unit will be 100% accessible on the ground floor, and the second floor, which will not be accessible, could be living space for a caregiver. There are two units like that, one of which at 18-20 Curve St. will be 100% accessible. For 18-20 Curve St., the scope involves,

- Complete renovation
- One one-bedroom unit, which is completely accessible
- Two two-bedroom units, one of which is ground floor visitable
- One three-bedroom unit

He mentioned that the architect will later discuss the potential for making the other units accessible in the future if that is needed. H. Haywood also discussed how the project incorporates “green” elements, investing in higher cost materials that will have a longer lifecycle to reduce maintenance and utility cost and increase energy efficiency.

He described the income requirements on the units, noting the following:

- 1 bedroom                      50% - Area Median Income (AMI)
- 2 bedroom                      70% - AMI
- 2 bedroom                      70% - AMI
- 2 bedroom                      85% - AMI
- 2 bedroom                      85% - AMI
- 3 bedroom                      50% - AMI
- 3 bedroom                      85% - AMI

H. Haywood then laid out the project budget as follows:

- CPA \$938,063
- CDBG \$795,584
- Total City Funds = \$1,733,647
- Bank Loan \$617,167
- Developer's Equity \$632,000
- Total Project Cost = \$2,982,814

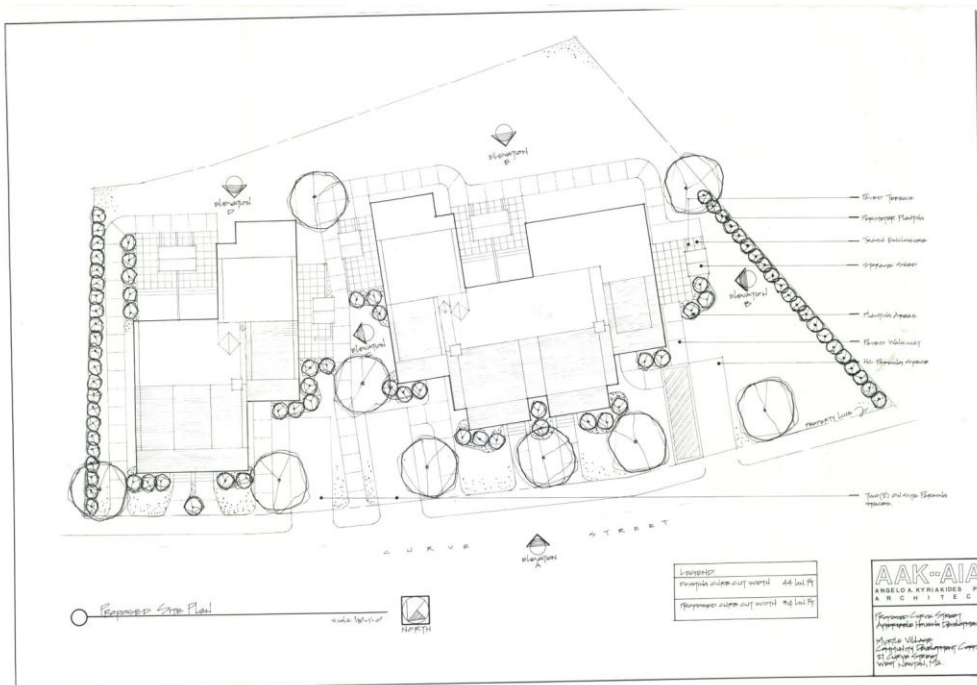
He described how the bank loan includes a \$420,000 mortgage, so the construction loan is approximately \$198,000. They have worked with Village Bank and it has been supportive of the project. He mentioned that the amount of investment of city funds is approximately \$215,000 per unit (this amount is later corrected).

At this point, a question was asked from the audience, but attendee questions were saved until the end of the presentation, after all Board member questions have been answered.

H. Haywood then turned to parking, indicating that the one-bedroom accessible unit will have parking onsite, and then there will be two loading areas onsite. The other units will be connected by a walkway that will be enhanced with curb cuts at either ends and lighting, that will run next to the Church to twelve parking spaces which will be closed off and set aside particularly for these residents. He said that neighborhood residents currently park there now, and the Church will continue to allow residents to park in the lot, especially when it snows and cars must park off the roads.

At this point, H. Haywood asked project architect A. Kyriakides to speak about the project. A. Kyriakides described how the team maximized the units through the conversion of the two structures and adding on to them, particularly two twin units in the center of the project (See Figure 1: Site Plan). The far right unit is the 100% accessible one-bedroom unit, with a dedicated parking space. The two drop-off/loading spaces are located in the center of the project. He noted that all additions are consistent with setbacks in the neighborhood and with the zoning.

**Figure 1: Site Plan**



There is a lot of green space included in the project, and he mentioned that all trees in the site plan will be added, since they are not there currently. Property buffers will be implemented using greenery, rather than fencing. Each unit will have a storage unit outside (no cellar/basement), as well as porches and terraces, as appropriate for accessibility. The new units will be slabs on grade, and will be visitable. Mechanical systems are within each unit, so they are accessible to each tenant. He said that he would have liked to make all units visitable, but given the funding package put together, the team can only renovate, and so the existing structures will keep their steps and will be standard units. L. Burg noted that the design as exceed the minimums required, and A. Kyriakides described how they do not design to the minimum, but rather try to incorporate as much accessibility as possible. While he said the units do not have 42-inch doors, the structural elements are located so that the 36-inch doors can be easily be replaced by wider ones. L. Burg also explained that “visitability” is a real word, and A. Kyriakides concurred, saying that it was coined by HUD, and that terraces take the place of porches to maintain accessibility.

H. Haywood clarified earlier information he provided, saying that the total per unit cost for CPA and CDBG is \$247,664 and the total development cost per unit is approximately \$426,000.

J. Moss began the question period, indicating the Board members would ask questions first, and she asked the first question.

Q: The packet indicates that the Myrtle Baptist Church Neighborhood Historic District is on the National Register of Historic places, and she assumes that it is not a local historic district (H.

Haywood said that it is not and the project team went through the Newton and Massachusetts Historical Commissions). Are there exterior standards that should apply to the project?

A: (A. Kyriakides) The buildings are not significant, the district applies to the community. The buildings have altered such that they are not architecturally significant.

J. Moss then said that there are not extra costs to meet those standards as a result.

Q: Could a city staffer clarify the displacement policy for existing tenants, particularly those that are eligible?

A: (R. Muollo) R. Muollo introduced himself as a Housing Planner for the City's Planning and Development Department (DHCD). He said that there are three tenants in the existing buildings. Since federal funds are in the project, it is subject to the Uniform Relocation Act, which addresses temporary and potential permanent relocation, both of which federal funds can cover. Since each unit has income eligibility criteria and there is a lottery process involved as required by the state (Comprehensive Permitting Chapter 40B process), there is not a guarantee that every tenant will have a unit upon project completion.

J. Moss asked what would happen if a current tenant is income-eligible.

R. Muollo said that City staff has spoken with the Massachusetts Dept. of Housing and Community Development, which has allowed in past projects, local preference and displacement preference, which would allow current tenants, if income-eligible, to seek a unit, but that does not guarantee a current tenant a unit. However, a plan is still required because of the Uniform Relocation Act. The city will be working with the project team to develop a plan, including phasing for temporary displacement and what will happen if there is permanent displacement.

Q: J. Moss asked if there is an income-eligible tenant who did not arrive through the lottery, even though the unit meets all affordability requirements, it would not be on the State Housing Inventory.

A: (R. Muollo) If you do not use a lottery to fill a unit, it cannot be on the State Housing Inventory. It corresponds to Fair Housing policies of the state. Turnover is when the units can be counted on the Inventory. The City supports not displacing residents whenever possible. In this situation, there are income requirements and different bedroom mixes, so there may not be a match. Ultimately, because there is not a guarantee for a unit, there needs to be a plan, in case displacement is an outcome. The City intends to avoid displacement.

Q: (L. Burg) Why would the unit not be counted if it otherwise met qualifications to be on the Inventory?

A: (R. Muollo) DHCD determines what can go on the Inventory, and HUD has the requirements regarding displacement.

Q: (J. Moss) Regarding bidding, since the development is under eight units, it is not subject to Davis-Bacon, but is the project required to accept the lowest bid?

A: (A. Kyriakides) The team is looking for the most responsive bid. They let the projects as needed to save the project money, and any components that come in under-budget will be re-invested in the project to exceed the standards set (i.e. 45 year roof instead of 30 year if project will still be under budget).

J. Moss concluded by asking if 6% for 25 years as a mortgage is a good rate, and B. Engler responded by saying that it is a commercial rate. He checked with Village Bank, and they said this is a good rate to carry, and the project team is comfortable with it.

J. Moss is pleased that the project is near public transportation, and is within walking distance to the Peirce School.

T. McCartney began a series of questions.

Q: Rental income in pro forma is based on 30%, for example, 85% of AMI? Will vouchers be accepted?

A: (B. Engler) Yes, 30% of each tenant's income. (H. Haywood) One current tenant has Section 8, and one commitment of the project is that current tenants will have the opportunity to seek a unit, and the team is comfortable if the unit may not be listed on SHI, because the team will know the unit is affordable. Section 8 is not in calculated into future income because that program may not exist in the future.

Q: Regarding zoning, the project can have an elder or unrelated caregiver?

A: H. Haywood believes so.

Q: Have you considered having the building certified for energy efficiency?

A: (A. Kyriakides) Bringing in a consultant for that evaluation will add a cost to the project.

T. McCartney suggested looking at Federal Home Loan Bank of Boston - Affordable Housing Program, which might be a source for funding.

Q: 14% administration expense is for compliance?



A: (J. Strickland) If NCDF is the managing agent, they will be providing the administration and maintenance.

Q: Is the reserve at \$300 per unit per year?

A: (B. Engler) It meets City requirements, but the team would be glad to accept more money to build up the reserves.

T. McCartney recommended adding Section 8 funding to the reserves.

H. Haywood said that the project supporters identified what expertise was needed, and that was why A. Kyriakides and NCDF were included in the project

Q: Will the units include gas heat and are the numbers too low?

A: (B. Engler) Yes, gas heat and the numbers are from the Housing Authority. (J. Strickland) The units will be more energy efficient than the Housing Authority units.

D. Banash had questions regarding to CDBG eligible costs, noting that CDBG funds typically do not go to new construction, and that the City will work with the project team to ensure the funding goes to eligible components of the project.

R. Muollo said that CDBG funding would be used for rehabilitation for existing units and to eligible soft costs, ranging from legal, engineering, architecture, and payment for labor and materials for rehabilitation.

B. Engler said that the project would receive \$795,000 in CDBG funding, with \$702,000 in rehabilitation costs, \$128,000 in reserves, two-thirds of which are for rehabilitation, and \$500,000 in soft costs, so putting CDBG money towards eligible activities would not be a problem.

D. Banash asked what percentage of the CDBG funds is the amount of that could be received by this project and what effect could this allocation have on the program?

A: (R. Muollo) A late correspondence was circulated that shows the breakdown between the amount of CDBG funds requested versus those available. The project would spend all of FY10 and FY11 housing program funding, and spend \$77,000 of current, FY12 funding. It is a one-time forgivable loan that is dispersed through the life of the project until project completion, but there would be no further subsidy.

Q: What is the likelihood of CPA funding being provided (asked of L. Burg, as Chair of the Community Preservation Committee)?

A: L. Burg personally feels positively about the project, and she believes fellow committee members feel so as well. Alice Ingerson (staff to the CPC and manager of CPA funds) has met with the project team. L. Burg cannot speak for the rest of the committee and J. Moss underscored that the CPC's policy is to provide the last component of funding for a project and make the final recommendation to the Board of Aldermen.

Q: D. Banash believes the Planning and Development Board tries to establish affordable housing in perpetuity. Would H. Haywood feel comfortable making the Board vote conditional on the units being affordable in perpetuity, rather than for thirty years?

A: (H. Haywood) He is not opposed to such a condition and noted that the language indicates that the City request from DHCD that these units be made affordable in perpetuity. In the future, the units could be sold as first-time home buyer units. The project team is seeking a deed restriction to make the units affordable in perpetuity.

R. Muollo stated that the project needs to apply for the Local Initiative Program, a state-run program for Comprehensive Permit projects, and as part of that application process, the project will have an agreement between the City, project sponsor, and state that outlines affordability requirements. The City will be advocating for a 99-year/in perpetuity requirement that the units remain affordable.

S. Wolf began asking questions, first to find out who composes the LLC.

A: (H. Haywood) The sole member of the LLC is Myrtle Baptist Church.

Q: Is the expectation that the project will be assessed at \$800,000, when complete, in order project taxes?

A: (B. Engler) He believes that they capped the NOI at 6.5%.

Q: Is the insurance amount reasonable for a seven-unit property?

A: (B. Engler) Yes, NCDF has used the amount for comparable project. T. McCartney said that they are only insuring the cost of the building, but not the property.

Q: Is there any way to keep the developer fee within the project?

A: (H. Haywood) The money will stay within the project so that it maintains itself and contributes to the reserve, and potentially could fund a future project. He described a house that the Church converted to two-condos several year ago, and they would be interested in future projects as well. The Church is already benefitting because it does not hold the

mortgage, which has been turned over to the LLC and the Church does not have to be a landlord.

E. Kim asked R. Muollo what the process would be for relocation if it occurs. He answered that permanent relocation requires finding a comparable unit with comparable rent, and 42 times the monthly rent is provided to the tenant. The City would assist the project team and tenant to find comparables that would be recommended, but would not be required to be followed. Moving expenses would also be covered in addition to rent.

Q: Have there been relocations for other projects in Newton?

A: (R. Muollo) Yes, there have been temporary relocations that happen for rehabilitation projects and lead-based paint abatement. A CAN-DO project on Pearl Street this year required relocation and went through a similar process.

That concluded questions from the Board and J. Moss then opened the floor for questions from attendees.

Bin Wang of 30 Curve Street asked a question regarding the one parking space for the fully-accessible unit and the rest made available in the Church parking lot, concerned about the narrow street and the distance between the parking and the units.

A: (H. Haywood) There will either be a permanent easement or a lease agreement for the parking for residents, with the project team leaning towards a permanent easement, which would run with the land, should the Church property change hands. Parking will be provided at no cost to the residents. J. Strickland underscored the availability of two drop-off parking spaces. H. Haywood mentioned that the Church may pursue an exchange with the City for land for parking and that there is a cut-through that which presents some traffic challenges in the neighborhood.

B. Wang expressed concern that there are cars parked near the park behind the Church and on the street on Sunday. H. Haywood said that the park is provided the Church and access to it is through a permanent easement by the Church. He also said that many churches in Newton do not have any parking. T. McCartney described the Dover Amendment in Massachusetts, which allows any building to become a school or religious institution, even one that lacks parking, so the Church's provision of parking is boon to the neighborhood.

B. Wang reiterated his concern regarding the narrow street, the filled parking lot on Sundays, with parking in the park, and asked why all parking could not be provided onsite. J. Moss said that a balance is trying to be found between open space and parking, and the provision in the Church lot seems to be a workable solution, with the understanding that there will be some crowding once a week. B. Wang expressed concern for the distance persons with disabilities

might have to travel in order to get to the Church lot. A. Kyriakides said that some persons with disabilities may not drive, and that fully paving the site for parking would create drainage problems for the street. He then described that some of the drop-off spaces could be turned into permanent parking spaces, and a small green space could also be turned into a parking space as well, but he stressed maintaining the side and backyards to be in keeping with the neighborhood and provide places for children to play.

Kathy Jordan of 13 Prospect Street commented that making Curve Street one-way created traffic problems from West Newton to Auburndale. She expressed her preference for affordable housing that can be purchased, mentioning that her son purchased a CAN-DO house, and offered the idea that half of this project be affordable for purchase and the other rental. She also indicated concern that college graduates who grew up on Newton cannot afford to own a home there when they return. She is also upset about the quality of Curve Streets roadway, the level of congestion, and the lack of greenery.

Cathy Davis of 25 Auburn Street concurred with previous speakers regarding the bad traffic issues and also explained that she does daycare, and is concerned with parking and the park, since they use the park for daycare. In the spring, the parking on the grass becomes muddy and tire ruts make it difficult to push carriages to the park. Losing access to neighborhood parks is a concern, particularly since the Crescent Street Parks and Recreation facility has moved. H. Haywood believes that the Reverend Louis E. Ford Park is not officially dedicated as parkland, but rather an agreement between the City and the Church. Several additional comments were made regarding the quality of the park at various points in time and the work neighbors and Church members had done to improve it. H. Haywood clarified that the Head Start put the playground equipment in initially, which was not intended for use by the public, but they allowed it.

Girard Plante, a co-chair of the Commission on Disability, supports the concepts and movements of visitability and access, particularly as society is aging and the need for accessibility is growing. He commends the developers for their vision and for educating the attendees. He believes that taxpayers' money would be prudently spent on this project and he also clarified that some disabilities are not immediately apparent, and some units could be made available to individuals in that situation.

William Turner, a resident of 25 Curve Street, said that he lives next door to the Church and has been there for 72 years, and is glad to see the project moving forward.

Rudge McKenney, at 15 Curve Street, lives across from the potential development site, and down the street from the Church. He said they have been great neighbors, and he is excited that the architectural plans are in keeping with the neighborhood. He said that his family has parked behind the Church, and tries to clean up there as a way of saying thank you. He is

excited about the path and is glad to help make the path mutually beneficial. He supports the project.

Teik Lee, of 34 Curve Street, moved to Curve Street ten years ago, described how the neighborhood has always been peaceful. He thinks the project is well-conceived, but wants to voice concern, as a homeowner, about the financial impacts to the neighbors of the project. He also mentioned that the number of units is a significant addition to the street, which is already congested. He would like to see a project more geared to ownership, and while there are many renters on the street, they seem like owners because they have been there so long. He also worries about the safety of his children.

J. Moss indicated she had not seen the underlying assumption play out, but asked for a developer to speak to the impact on property values of rentals next to homeowner units. B. Engler answered, saying that he has been in the housing development business for forty years and has permitted 10,000 units in Massachusetts of all types: rental, homeownership, nonprofit, for-profit, mixed income. He spoke of a recently-finished 10-unit homeownership project in Auburndale, and that he tried to do a development in Highlands, but was turned down by the City, and indicated that in both instances, there was some opposition, so affordable homeownership projects can also be unpopular. If rental housing is properly managed, and he believes that NCDF will do well, although he notes he works for the company, it will be as good a neighbor as a homeowner unit. He believes this assumption has historical roots, and he has not found it to play out in the 150 communities where he has worked. He said that there have been 25 studies about this relationship and none have shown that affordable housing decreases property values in Newton. It will be well-maintained that could potentially increase the value of the properties on the street.

A. Kyriakides said that he has done affordable housing, market-rate rental, low-income housing, in communities from Louisiana to Massachusetts and he has not seen the homeowners lose value in these communities. K. Jordan asked why the project could not be half rental, half ownership, and A. Kyriakides responded that there are a lot of homeowner units in the neighborhood. B. Engler said that he understood the Church's goal to be to develop rental units and that is why the project has this composition. K. Jordan reiterated that she feels providing affordable homeownership opportunities for young people in Newton should be the priority. J. Moss described that she has been on the Board for many years, has seen a variety of rental and homeownership projects presented, and feels that successful projects should be robust and fit the neighborhood, and that Newton needs both types of housing. H. Haywood said that this year is the 50<sup>th</sup> year of the notification that homes would be taken, and mentioned where his family and S. Robinson's family lived before, and noted that 26 homes and 37 families were relocated because of the Massachusetts Turnpike. T. McCartney left the room.

H. Haywood said that a previous homeownership unit project by the Church had taken time to sell, and the membership was worried about the risk of completing another similar project. K.

Jordan asked why it could not be half of each, and mentioned the demand for homeownership units when her son sought one. J. Moss said that the type of units was not the subject of the hearing and asked for comments on a different topic.

Kristen Smith of 20 Curve Street indicated that she has lived there for sixteen years, but cannot afford to buy in Newton, which is where her family lives. This development presents an opportunity for her to stay in Newton. She expressed concern for the impact of Learning Prep on the neighborhood. She also asked if the on-street parking is going away, and H. Haywood said no, it would still be available.

T. McCartney returned to the room. J. Moss asked D. Banash if he was comfortable to vote. He wanted to have a legal opinion about whether the decision could be overturned for lack of sufficient notice, but he indicated that he was comfortable making a decision tonight. J. Moss said that she too felt she could make a decision tonight, noting that the material was received a week in advance, supplemental material was available at City Hall, and that the provision of information was sufficient, but not ideal. L. Burg noted that the proposal was available online and people could read it that way if they so chose, but also expressed her desire for the material to be provided differently in the future.

J. Moss called for a motion and L. Burg moved that the P&D Board vote to approve the request of Myrtle Village, LLC for the requested funding from CDBG in the amount of \$795,584. T. McCartney seconded. D. Banash made a point of order, asking for a friendly amendment with two conditions on the motion, which he believes the proponent will support: 1. That there be a condition of perpetual affordability for the units in the project; and to address the concern of an abutter, 2. That the form of use of the parking be an easement, rather than lease. T. McCartney indicated that she is voting in favor of the motion as amended, as she had to leave the room. H. Haywood indicated his support of these two conditions and L. Burg accepted the amendment. S. Wolf seconded the approval of the amendment to the motion. The Board voted and the motion, as amended, passed with a vote of 6-0-0.

(At this point, most of the attendees left the room.) The Board then addressed additional business.

#### **Update: FY13 Annual Action Plan Progress**

A. Walkup updated the Board by saying that the Annual Action Plan has been presented to all relevant Advisory Committees, so the Annual Action Plan will be presented at the Board March 5<sup>th</sup> meeting. J. Moss said that she is unlikely to be at this meeting and asked that S. Wolf chair that meeting. A. Walkup said that there will be Substantial Amendments for re-programming funds at the March and April meetings, so the meeting during which the Annual Action Plan is considered may be longer than in years past.

T. McCartney returned to the room and said that there should be police presence at any meeting that considers affordable housing projects.

**Update: Dates for additional Planning and Development Board Activity:**

- **Riverside Rezoning**
  - **Zoning and Planning Working Session – Thursday, Feb. 9**
  - **Zoning and Planning Public Hearing – Monday, Feb. 27**

J. Moss said that her meeting with Alderman Johnson and Candace Havens has not yet taken place, and she expressed concern that the Board is not part of the discussion at Zoning and Planning Working sessions, but rather participate as audience members after the discussion is complete. S. Wolf said that having a larger group allowed for the discussion might lessen progress of the discussion. J. Moss said she felt it was important to advocate for the Board to serve an advisory role. D. Banash said that if the Zoning and Planning Chair wants the Board to be there, and members make the effort to attend, they should be allowed to speak. L. Burg agreed, mentioned the availability of the materials from the sessions online, but also said that the Board has expertise that could be helpful in decision making. J. Moss said that the process in the past was limited in allowing meaningful Board input, but Alderman Johnson has expressed interest in the Board playing a greater role in the working sessions. J. Moss believes that Board input can be helpful and can be provided in a manner that is mindful of the fact the Board members are not Aldermen.

A. Walkup provided updates regarding the schedule of the Riverside working sessions and public hearings.

**Update: Recreation and Open Space Plan Update**

- **Required public hearing – Potential dates – Monday, June 25 or July 9**

A. Walkup explained that Recreation and Open Space Plan Update will be taking place in the summer and asked when the Board would prefer to have the public hearing. Board members agreed that the hearing should take place July 9<sup>th</sup>, and the Board meeting in July should be rescheduled from July 2<sup>nd</sup> to July 9<sup>th</sup> in light of the July 4<sup>th</sup> holiday.

L. Burg moved to adjourn, S. Wolf seconded, and the meeting adjourned at 9:53 pm.

Respectfully submitted,

Anne Marie Belrose  
Community Development Manager